

# The Times-News Publishing Company

96 SOUTH MAIN, NEPHI, UTAH 84648  
623-0525



**DIVISION OF OIL, GAS AND MINING**  
**PO 145801**  
**SALT LAKE CITY UT 84114 - 5801**

**RECEIVED**

**JAN 03 2003**

**DIV. OF OIL, GAS & MINING**

Invoice No.

12195

Account No.

1441

Month

December

12/26/2002

LEGAL ADVERTISING	NUMBER OF LINES	LINE RATE	WEEKS	TOTAL
NOTICE OF TENTATIVE DECISION TO	110	\$0.45	1	\$49.50

Thank you for your business. Please remit by the tenth of the month following billing date. Accounts over 30 days will be charged interest at 18% per year. Customer agrees to pay reasonable attorney charges if this account must be collected.

LEGAL TOTAL	\$49.50
AMOUNT FORWARD	
LESS PAYMENT	
INTEREST ON UNPAID AMOUNT	\$0.00
PLEASE PAY THIS AMOUNT	⇒ <b>\$49.50</b>

2831 RED 6131 NMADMOIN



# PROOF OF PUBLICATION

STATE OF UTAH )  
 ) ss  
COUNTY OF JUAB )

I, Allan R. Gibson, being first duly sworn, depose and say that I am the Publisher of The Times-News, a weekly newspaper of general circulation, published every week at Nephi City, Utah; that the notice attached hereto, and which is a part of

Proof No. 1 of 2  
**NOTICE OF TENTATIVE DECISION  
TO APPROVE NO. M/23/016**

was published in said newspaper for  
one issue, the publication having been made on the

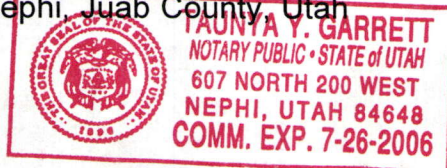
December 11, 2002

that said notice was published in the regular and entire  
issue of every number of the paper during the period  
and times of publication, and that the same was  
published in the newspaper proper and not in a  
supplement.

SUBSCRIBED and sworn to before me  
this

December 11, 2002

Taunya Y. Garrett  
Notary Public, residing at Nephi, Juab County, Utah



**NOTICE OF TENTATIVE DECISION  
TO APPROVE NO. M/23/016**

BEFORE THE DIVISION OF OIL,  
GAS AND MINING DEPARTMENT OF  
NATURAL RESOURCES STATE OF  
UTAH

IN THE MATTER OF TENTATIVE  
DECISION TO APPROVE A LARGE  
AND RECLAMATION PLAN FOR THE  
H. E. DAVIS CONSTRUCTION, INC.,  
LEVAN GYPSUM MINE, JUAB  
COUNTY, UTAH

THE STATE OF UTAH TO ALL OP-  
ERATORS, TAKERS OF PRODUC-  
TION, MINERAL AND ROYALTY OWN-  
ERS, AND PARTICULARLY ALL PER-  
SONS INTERESTED IN SECTION 33,  
TOWNSHIP 14 SOUTH, RANGE 1  
EAST, SLBM JUAB COUNTY, UTAH.

Notice is hereby given by the Division  
of Oil, Gas and Mining of its tentative  
decision to approve the Large Mining  
Operations Notice of Intention for H. E.  
Davis Construction, Inc.'s Levan Gypsum  
Mine. Mining activities will affect portions  
of the following areas: SE 1/4 and SW  
1/4 of Section 33, Township 14 South,  
Range 1, East, Juab County, Utah.

H. E. Davis Construction, Inc. has sub-  
mitted a permit application to expand an  
existing small mining project to a large  
mining operation. The operator will em-  
ploy the following mining and reclama-  
tion techniques on approximately 42.85  
acres of federal and private land.

During Operations: Gypsum will be  
mined by open pit, benched excavation  
methods. Suitable plant growth (soil)  
material overlying the gypsum deposit  
will be salvaged for final reclamation.  
Approximately 900 cubic yards per year  
will be stockpiled and protected. Typi-  
cal drilling and blasting techniques will  
be used to remove the gypsum from the  
deposit. Trackhoes and loaders will load  
the material into haul trucks, which will  
then be transported to the processing  
area. Approximately 100,000 cubic  
yards of gypsum will be ruined each  
year. All material mined from the deposit  
will be consumed and no tailings will be  
generated. A portable jaw crusher and  
screen plant will size the gypsum into  
fines, -2 inch and -6 inch products. The  
sized material will be placed in stock-  
piles, loaded onto transport trucks and  
hauled to off site markets. Safety berms  
will be maintained above highwalls and  
along haul roads. Two temporary diesel  
fuel tanks will be kept on site. All fuel  
and lubricants will be placed in plastic  
lined bermed areas to retain any spills.  
Some concurrent regrading work will  
occur during mining operations.

After Operations: The entire mining  
operation will be reclaimed. The final  
mine excavation will consist of eight  
benches, each 40 feet high and 20 feet  
wide. Compacted areas will be ripped  
and all areas will be covered with 6  
inches of soil material. Stockpiled soil  
material will be tested and amended with  
10 tons/acre of composted manure if  
necessary. All areas will be hydro-  
seeded or hand broadcasted with an  
approved seedmix. The eight 20-foot  
wide benches will be covered with 6  
inches of topsoil, seeded and then  
raked.

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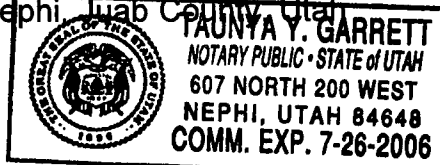
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December 11, 2002

Taunya Y. Garrett  
Notary Public, residing at Nephi, Juab County, Utah



FORM NUMBER 110

NOTICE OF TENTATIVE  
TO  
BEFORE THE DIVISION OF  
OIL, GAS AND MINING DEPARTMENT OF  
NATURAL RESOURCES STATE OF  
UTAH

IN THE MATTER OF TENTATIVE  
DECISION TO APPROVE A LARGE  
AND RECLAMATION PLAN FOR THE  
H. E. DAVIS CONSTRUCTION, INC.,  
LEVAN GYPSUM MINE, JUAB  
COUNTY, UTAH

THE STATE OF UTAH TO ALL OPER-  
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During Operations: Gypsum will be  
mined by open pit, bench excavation  
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material overlying the gypsum deposit  
will be salvaged for final reclamation.  
Approximately 200 cubic yards per year  
will be stockpiled and protected. Typi-  
cal drilling and blasting techniques will  
be used to remove the gypsum from the  
deposit. Trackhoes and loaders will load  
the material into haul trucks, which will  
then be transported to the processing  
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yards of gypsum will be mined each  
year. All material mined from the deposit  
will be consumed and no tailings will be  
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approved seed mix. The eight 20-foot  
wide benches will be covered with 6  
inches of topsoil, seeded and then  
raked.

The person representing the company  
is Mr. Tony Christofferson; Phone (801)  
802-6913.

H. E. Davis Construction, Inc. is fulfill-  
ing obligations under the Utah Mined  
Land Reclamation Act of 1975, Utah



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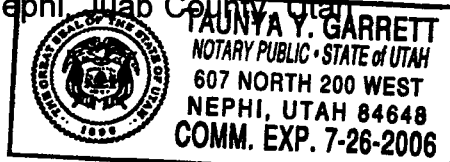
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Paunya Y. Garrett  
Notary Public, residing at Nephi, Juab County, Utah



**Legal Notice**

Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining 1194 West North Temple, Suite 1210, Box 145001, Salt Lake City, Utah 84114-5001, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 9TH DAY OF DECEMBER, 2002

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING  
(Signature)

Lowell P. Braxton  
Director

Published in The Times-News, Nephi,  
Utah on 12/11/2002 BIL150/50